EXHIBIT D

Declaration of Miles N. Clark in Support of Plaintiffs' Motion for Class Certification

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UNITED STATES DISTRICT COURT DISTRICT OF NEVADA

ANTHONY SESSA AND MARK SESSA, individually and on behalf of all others similarly situated,

Plaintiffs,

V.

ANCESTRY.COM OPERATIONS INC., a Virginia Corporation; ANCESTRY.COM, INC., a Delaware Corporation; ANCESTRY.COM LLC, a Delaware Limited Liability Company,

Defendants.

Case No. 2:20-cv-22-cv-2292-GMN-BNW

DECLARATION OF MILES N. CLARK IN SUPPORT OF MOTION FOR CLASS CERTIFICATION

I, MILES N. CLARK, declare as follows:

- 1. I am an attorney of law, duly licensed and admitted to practice law before the United States District court for the District of Nevada. I am a partner in the law firm of The Law Offices of Miles N. Clark, LLC, which serves as local counsel for Plaintiffs in the matter of *Sessa et al. v. Ancestry.com Operations Inc. et al.*, No. 22-cv-2292-GMN-BNW (D. Nev. 2020) (the "Action"). I make this declaration in support of the Plaintiffs' Motion for Class Certification.
- 2. I have personal knowledge of the following facts, and I am competent to testify to the following facts upon my own personal knowledge.
- 3. I graduated from Cornell Law School in 2011. After graduating from Cornell Law School, I spent four years as a judicial law clerk. I first worked for the Windham Unit of the Vermont Trial Courts (2011-12), then for U.S. Magistrate Judge Karen Wells Roby in the U.S. District Court for the Eastern District of Louisiana (2012-13), and then for U.S. District Judge Jennifer A. Dorsey in the U.S. District Court for the District of Nevada (2013-15). Following my clerkships, I worked as a litigation associate in two Las Vegas law firms: Pisanelli Bice, PLLC and Akerman LLP. In August 2016 I opened the Law Offices of Knepper & Clark LLC, the predecessor to my current firm.

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- 4. Since founding Knepper & Clark, the primary focus of my practice has been consumer rights and consumer litigation, particularly actions brought under the Fair Credit Reporting Act, 15 U.S.C. § 1681 *et seq.* ("FCRA"). I frequently represent consumers in matters before this Court and the Court of Appeals for the Ninth Circuit.
- 5. I have experience in complex class litigation, having served on the Plaintiff's Steering Committee in *In re Sonic Customer Data Security Breach Litigation*, No. 17-md-2807 (N.D. Ohio 2017), a case I assisted in litigating to a multimillion-dollar class settlement. More recently, I have been appointed as co-interim liaison counsel in the putative class action of *Smallman v. MGM Resorts International*, No. 20-cv-376-GMN-NJK (D. Nev.), and as interim liaison counsel in the putative class action of *Henzel v. Wells Fargo Bank, N.A.*, No. 22-cv-529-GMN-NJK (D. Nev.).
- 6. I am routinely recognized as a Super Lawyers "rising star" in the field of consumer law, having been included in *Nevada Business Magazine*'s "Legal Elite." I have lectured in consumer law at the UNLV William S. Boyd School of Law, and am a former member of the Howard D. McKibben American Inn of Court in Las Vegas.
- 7. I believe my experience and credentials qualify me for an appointment as representative of the Class in this matter, along with co-counsel.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct.

EXECUTED in Windham, Vermont on December 6, 2022.

/s/ *Miles N. Clark* MILES N. CLARK